THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.26301 of 1996

Date:17.02.2006

Between:

Y.Laban

-------PETITIONER

AND

The Government of A.P. and others

---------RESPONDENTS

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ORDER:

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This writ petition is filed assailing the orders of the Government passed in G.O.Ms.No.841 Revenue (Assn. II) Department, dated 15.10.1996. Through the impugned G.O., the first respondent rejected the appeal preferred by the petitioner against the order, dated 09.06.1993 assigning an extent of Ac.1.37 cents of land in favour of the fourth respondent.

The petitioner states that the land in Sy.No.343/2, admeasuring Ac.1.94 cents was earmarked as a graveyard exclusively for the benefit of Harijans of Talakondapadu Village and that the third respondent had changed the classification of that land and paved the way for assignment of the substantial portion thereof to the fourth respondent.

The fourth respondent filed a counter-affidavit narrating the circumstances, under which the assignment came to be made in his favour.

The writ petition was listed for hearing yesterday i.e. on 16.02.2006. There was no representation for the petitioner. Hence, it was directed to be listed under the caption 'for dismissal' today. Today also, there is no representation. Hence, this Court is constrained to go through the record and pass orders.

The total extent of land in Sy.No.343/2 is Ac.1.94 cents. It was classified as a poramboke. The fourth respondent reclaimed it and brought under cultivation by incurring huge expenditure. He made representations to the Revenue and Gram Panchayat authorities concerned. On finding that the land is far way from the water course, and that it was reclaimed by the fourth respondent, they have initiated necessary steps by publication of a notification before the Gram Panchayat passed a resolution, deleting it from Grama Kantam. Other necessary procedures were followed, to convert the same to A.W. dry. It was also ensured that adequate land is left for being utilised as burial ground. Ultimate assignment was made in favour of the fourth respondent on 09.06.1993.

The petitioner, who did not claim any individual right over the land, preferred appeal to the Government. The first respondent called for the record and examined the matter in detail. It was categorically observed that the interest of the community was taken care of and that the petitioner did not suffer any grievance. Except claiming the interest of the community, the petitioner does not state as to how the assignment in favour of the fourth respondent is illegal. The petitioner cannot claim himself to be the representative of the community. Hence, this Court is not inclined to interfere with the impugned order.

Therefore, the writ petition is dismissed. There shall be no order as to costs.

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17.02.2006

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